

REMARKS

Upon entry of the present Amendment D, claims 1-3, 5-7, 9-11, 13 and 14 are pending in the application, of which claims 1, 3, 5, 13 and 14 are independent.

The applicant gratefully acknowledges indication by the Examiner that claims 6 and 10, although objected to for being dependent upon a rejected base claim, include allowable subject matter.

The applicant thanks the Examiner for his helpful remarks during a telephone discussion held on February 22, 2006. Prior to the discussion, a set of proposed claims were faxed to the Examiner in which claims 1-3, 5, 9, 13 and 14. During the discussion, the Examiner indicated that, as amended, claim 1 does overcome the rejection in view of Aoki. However, the Examiner indicated that amended claims 3, 5, 13 or 14 did not overcome rejection, since, in the Examiner's view, the anchor fixing portion 12 of Aoki is attached at a rear portion of the seat rail 11, and the term "direction" is not given patentable weight because it is not part of a structure. The applicant's representative proposed further amending claims 3, 5, 13, and 14 to recite that the buckle/anchor are attached to a "rear end face" of the accommodator (or seat support structure). The Examiner agreed that this language would overcome the rejection in view of Aoki.

The above-identified Office Action has been reviewed, the references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment D is submitted. The applicant respectfully submits that the amendments to the claims are fully supported by the original disclosure, including the drawings.

Applicant also respectfully submits that no new matter has been added to the application

in these amendments. It is contended that by the present amendments, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the final rejection is respectfully requested.

In The Claims

Claim Rejections – 35 USC 102

At item 3 of the Office Action, the Examiner has rejected claims 1-3, 5, 7, 9, 11 and 13-14 under 35 USC §102(b) as being anticipated by Aoki (US 6,069,325). The Examiner states that Aoki discloses an attaching structure for a seatbelt apparatus of a vehicle equipped with a seat, which is provided on a vehicle body through a pair of weight sensors 5 positioned below a pair of seat rails 11. The seat belt apparatus includes a buckle 4 adapted to be fixed to one side of the seat 3, a seat belt 2, one end of the seat belt fixed to the vehicle so as to permit adjustment of the length of the seat belt, the other end connected to an anchor 12 fixed to the other side of the seat. The Examiner states that the tang is inherently disclosed, since Aoki discloses a buckle 4. The Examiner further notes that Aoki discloses that an anchor and buckle is disposed on each side of the seat, and thus interprets the anchor/buckle pair on one side to correspond to the claimed anchor, and the other anchor/buckle pair to correspond to the claimed buckle. The anchor and buckle are adapted to be fixed at positions nearer the seat than the weight sensor 5, the weight sensor including a detector 31, and accommodators (bottom portions of the seat rails 11) which store the detectors as claimed.

Applicant's Response

In view of the above amendments, it is believed that the rejection is overcome. Upon review of Aoki '325, the applicant finds that Aoki '325 does disclose a seat weighing

apparatus which includes a seat belt 2 anchored to the seat rail from a lateral-side direction with respect to the seat, on each side of the seat. In addition, a weight measuring apparatus 5 is disposed below the seat rail, so that seat belt anchor is fixed to the seat between the weight measuring apparatus and the seat, as claimed. However, the presently claimed invention differs from that of Aoki '325 in that the accommodator is not disclosed as part of the seat rails. In particular, the applicant's accommodator is a part of the weight measuring apparatus, and is fixed to the underside of the seat rails. A further difference between the applicant's invention and Aoki '325 lies in the mounting location for the anchor and seat belt. In particular, in the applicant's invention, the anchor is secured to a rear end face of the accommodator, whereas Aoki '325 discloses the anchor secured to a lateral side face of the seat rails.

In order to promote the prosecution of the application, the applicant has amended each of the independent claims, claims 1, 3, 5, 13 and 14 herein, to more clearly recite the differences between the disclosed invention and that of the cited prior art as follows:

Claims 1 and 2 are amended to recite that the anchor or buckle are attached to the accommodator through a bracket, and the bracket is attached to the accommodator from a rear side direction of the seat:

Claims 3, 5, 13, and 14 are amended to recite that the anchor and/or buckle are attached to a rear end face of a seat supporting structure (accommodator).

As amended, each of the independent claims is patentably distinct from Aoki '325. In Aoki, the anchor and buckle are attached to the anchor fixing portion 12, which is in turn attached to the seat rail. In contrast, in the claimed invention, the anchor

and buckle are attached to the accommodator, which serves as a cover for the weight sensor and accommodates the weight sensor therein.

A further difference between the cited reference and the claimed invention is that Aoki provides an additional member, the anchor fixing member 12, provided on the seat rail portion 11 in order to connect the anchor to the seat rail. In contrast, the applicant discloses a direct connection between the anchor and the buckle side of the seat belt. This has the benefit that manufacturing costs are reduced while obtaining accurate measurements of the seat occupant.

A still further difference between the cited reference and the applicant's claimed invention lies in that Aoki discloses the anchor fixing portion disposed just under a lateral-side edge of the seat cushion, located between the respective seat adjusters 10. Thus, the ability to install the anchor on the lateral side of the seat after installation of the seat within the vehicle cabin is very difficult in the configuration disclosed by Aoki, especially considering the proximity of the structures on each side of the seat (vehicle side walls, center consoles, etc.). In contrast, in the applicant's invention, the anchor 4 and buckle 10 are secured to a rear end face of the accommodator. Therefore, ease of installation of the seat belt system is greatly improved since a large space exists between the rear surfaces of the front seat and the front surfaces of the rear seat, especially in the area of interest, that is, the space in the vicinity of the vehicle floor.

For the reasons discussed above, the applicant submits that the independent claims as amended avoid anticipation by Aoki '325.

Allowable Subject Matter

At item 5 of the Office Action, the Examiner objected to claims 6 and 10 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Based on all of the foregoing, applicant respectfully submits that all of the objections and rejections set forth in the final Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination.

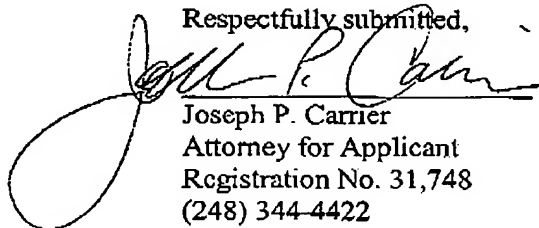
The applicant requests reconsideration and withdrawal of the rejections of record, and allowance of the pending claims.

If the Examiner is not fully convinced of the allowability all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable reconsideration is respectfully requested.

Customer No. 21828
Carrier, Blackman & Associates, P.C.
24101 Novi Rd, Ste. 100
Novi, Michigan 48375
February 25, 2006
JPC/kmm

Respectfully submitted,



Joseph P. Carrier
Attorney for Applicant
Registration No. 31,748
(248) 344-4422

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted via facsimile transmission to the US Patent & Trademark Office, on February 25, 2006.

